

Serial No.: 10/714,308

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REMARKS

Claims 1, 2, 4-11, 13-16, and 18-23 are pending in the instant application after this amendment cancels claims 3, 12, and 17, and adds new claims 21-23. Claims 1, 2, 4, 5, 9, 10, 16, 18, and 19, and the specification are amended. No new matter is added by the amendments and new claims, which are supported throughout the specification and claims. In particular, the new claims are supported at least in the specification at page 12, last paragraph, to page 13, first paragraph, and figures 6, 7A, 7B, and 8. In view of the following remarks, favorable reconsideration of this application is respectfully requested.

The Office Action objects to the disclosure based on the various informalities. In particular, the Office Action asserts that "add court", mentioned throughout the specification, should read "ad court". Additionally, the Office Action identifies a typographic error in the specification at page 10, second to last line. Applicants herein amend the specification as suggested in the Office Action, and therefore it is respectfully requested that the objections be withdrawn.

Claim 2 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action asserts that "said format" lacks antecedent basis as the claim depends on claim 1 which makes no reference to 'format'. Applicants amend claim 2 to substitute the word "representation" for the word "format". Therefore it is respectfully requested that the rejection is obviated.

Claims 1, 3-6, 16-18, and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,868,578 to Baum (hereinafter Baum). Applicants respectfully traverse.

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Claim 1 relates to a system for capturing and analyzing data from a tennis match to show player's tendencies. The system of claim 1 includes, *inter alia*, a computer system for analyzing and manipulating the stored data to determine player tendencies, said computer system including *data processing software structured to sort said stored data by at least one specified sort criteria and generate a representation of said tendencies* from at least a portion of said stored data that matches said specified sort criteria, and an operator interface in communication with said computer system for inputting said sort criteria. In amended claim 1, *the representation is a predetermined graphical format, and said player tendencies relate to at least the location to which the player tends to hit the ball.*

The Office Action asserts that Baum discloses all of the features of the present invention, citing the abstract, figure 1, and col. 1, lines 41-46. However, Baum does not disclose or suggest the feature of claim 1 of including data processing software structured to sort said stored data by at least one specified sort criteria and *generate a representation* of said tendencies from at least a portion of said stored data that matches said specified sort criteria. The Office Action relies on the abstract of Baum which apparently discusses collecting statistics. Furthermore, figures 11A-11D of Baum apparently shows a batter with statistics superimposed on the picture. However, none of the cited sections of Baum disclose or suggest generating a representation of tendencies.

However, in the interest of expediting prosecution, and for the purpose of clarifying the claimed subject matter, Applicants amend claim 1 to include the features that the representation is a predetermined *graphical format*. It is respectfully submitted that neither figures 11A-11D of Baum, nor any of the other disclosures therein, discuss a graphical representation of tendencies of a player. Figures 11A-11D of Baum apparently show an actual image of a player (*see* Baum; col. 3, lines 16-18; stating that the figures represent "batter images captured ... along with

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statistical data superimposed thereon.”). The batter images of Baum do not disclose or suggest the feature of a graphical representation of tendencies, and therefore for at least this additional reason claim 1 is allowable.

Additionally, claim 1 is amended to include the feature that said player tendencies relate to at least the location to which the player tends to hit the ball. The Examiner relies on figure 9 in rejecting canceled claim 3, in which this feature was previously presented. However, figure 9 does not disclose or suggest *graphically representing a location to which a player tends to hit the ball*, and therefore for at least this additional reason claim 1 is allowable.

Claims 2 and 4-6 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1 is allowable.

Claim 9 relates to a method for analyzing tennis player performance data to show player tendencies. The method of claim 9 includes, *inter alia*, sorting said plurality of data by at least one sort criterion relative to at least one discrete location, and displaying at least a portion of said data related to at least one discrete location. In the method of amended claim 1, *said portion of said stored data is presented in a graphical format*, and wherein *at least one sort criteria includes the location from which a player hit the ball*. Since Baum does not disclose or suggest the graphical representation of stored data, as discussed, above, Baum does not anticipate claim 1. Additionally, since Baum only discusses baseball in the exemplary embodiments discussed therein, Baum does not disclose or suggest data relating to the location *from which* a player hit the ball, since a baseball player always hits from the same place. Therefore, for at least these reasons claim 9 is allowable.

Claims 10, 11, 13, and 14 depend from claim 9 and are therefore allowable for at least the same reasons as claim 9 is allowable.

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Claim 16 relates to a method for capturing and analyzing data from a tennis match to show player's tendencies. The method of claim 16 includes, *inter alia*, ***manipulating the stored data pursuant to said sort criteria to obtain a subset of said collected data, generating a representation of said subset***, and displaying said representation to a viewer *in a graphical format*. The method of amended claim 16 further includes *the player's tendencies relate to at least the location to which the player tends to hit the ball*. As discussed above, since Baum does not disclose or suggest displaying tendencies in a graphical format, and including a location to which a player hits the ball, Baum does not identically disclose the features of claim 16.

Claims 18-20 depend from claim 16 and are therefore allowable for at least the same reasons as claim 16 is allowable.

Claims 7, 8, 15, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Baum. Applicants respectfully traverse.

Claims 7 and 8 ultimately depend from claim 1, claim 15 ultimately depends from claim 9, and claim 19 depends from 16, and therefore each of these claims is allowable for at least the same reasons as their respective base claim is allowable.


New claims 21-23 depend from claims 1, 9, and 16, respectively, and therefore each of these claims is allowable for at least the same reasons as their respective base claim is allowable. Additionally, each of the new claims recites the feature that the predetermined graphical representation includes ***a plan view of a tennis court divided into sections, each section including percentage success information related to that section***. It is respectfully submitted that none of the cited references disclose or suggest this feature, and therefore for at least this additional reason claims 21-23 are allowable.

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In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
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